

105TH CONGRESS  
2D SESSION

# S. 1605

---

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 1998

Referred to the Committee on the Judiciary

---

## AN ACT

To establish a matching grant program to help States, units of local government, and Indian tribes to purchase armor vests for use by law enforcement officers.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Bulletproof Vest Part-  
5       nership Act of 1998”.

1 **SEC. 2. FINDINGS; PURPOSE.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the number of law enforcement officers who  
4 are killed in the line of duty would significantly de-  
5 crease if every law enforcement officer in the United  
6 States had the protection of an armor vest while  
7 performing their hazardous duties;

8 (2) the Federal Bureau of Investigation esti-  
9 mates that more than 30 percent of the almost  
10 1,182 law enforcement officers killed by a firearm in  
11 the line of duty could have been saved if they had  
12 been wearing body armor;

13 (3) the Federal Bureau of Investigation esti-  
14 mates that the risk of fatality to law enforcement of-  
15 ficers while not wearing an armor vest is 14 times  
16 higher than for officers wearing an armor vest;

17 (4) the Department of Justice estimates that  
18 approximately 150,000 State, local, and tribal law  
19 enforcement officers, nearly 25 percent, are not  
20 issued body armor;

21 (5) the Executive Committee for Indian Coun-  
22 try Law Enforcement Improvements reports that  
23 violent crime in Indian country has risen sharply,  
24 despite decreases in the national crime rate, and has  
25 concluded that there is a “public safety crisis in In-  
26 dian country”; and

1           (6) many State, local, and tribal law enforce-  
2           ment agencies, especially those in smaller commu-  
3           nities and rural jurisdictions, need assistance in  
4           order to provide body armor for their officers.

5           (b) PURPOSE.—The purpose of this Act is to save  
6           lives of law enforcement officers by helping State, local,  
7           and tribal law enforcement agencies provide those officers  
8           with armor vests.

9   **SEC. 3. DEFINITIONS.**

10          In this Act:

11           (1) ARMOR VEST.—The term “armor vest”  
12           means body armor that has been tested through the  
13           voluntary compliance testing program operated by  
14           the National Law Enforcement and Corrections  
15           Technology Center of the National Institute of Jus-  
16           tice (NIJ), and found to comply with the require-  
17           ments of NIJ Standard 0101.03, or any subsequent  
18           revision of that standard.

19           (2) BODY ARMOR.—The term “body armor”  
20           means any product sold or offered for sale as per-  
21           sonal protective body covering intended to protect  
22           against gunfire, stabbing, or other physical harm.

23           (3) DIRECTOR.—The term “Director” means  
24           the Director of the Bureau of Justice Assistance of  
25           the Department of Justice.

1           (4) INDIAN TRIBE.—The term “Indian tribe”  
 2           has the same meaning as in section 4(e) of the In-  
 3           dian Self-Determination and Education Assistance  
 4           Act (25 U.S.C. 450b(e)).

5           (5) LAW ENFORCEMENT OFFICER.—The term  
 6           “law enforcement officer” means any officer, agent,  
 7           or employee of a State, unit of local government, or  
 8           Indian tribe authorized by law or by a government  
 9           agency to engage in or supervise the prevention, de-  
 10          tection, or investigation of any violation of criminal  
 11          law, or authorized by law to supervise sentenced  
 12          criminal offenders.

13          (6) STATE.—The term “State” means each of  
 14          the several States of the United States, the District  
 15          of Columbia, the Commonwealth of Puerto Rico, the  
 16          Virgin Islands, Guam, American Samoa, and the  
 17          Commonwealth of the Northern Mariana Islands.

18          (7) UNIT OF LOCAL GOVERNMENT.—The term  
 19          “unit of local government” means a county, munici-  
 20          pality, town, township, village, parish, borough, or  
 21          other unit of general government below the State  
 22          level.

23 **SEC. 4. PROGRAM AUTHORIZED.**

24          (a) GRANT AUTHORIZATION.—The Director may  
 25          make grants to States, units of local government, and In-

1 dian tribes in accordance with this Act to purchase armor  
2 vests for use by State, local, and tribal law enforcement  
3 officers.

4 (b) APPLICATIONS.—Each State, unit of local govern-  
5 ment, or Indian tribe seeking to receive a grant under this  
6 section shall submit to the Director an application, in such  
7 form and containing such information as the Director may  
8 reasonably require.

9 (c) USES OF FUNDS.—Grant awards under this sec-  
10 tion shall be—

11 (1) distributed directly to the State, unit of  
12 local government, or Indian tribe; and

13 (2) used for the purchase of armor vests for law  
14 enforcement officers in the jurisdiction of the  
15 grantee.

16 (d) PREFERENTIAL CONSIDERATION.—In awarding  
17 grants under this section, the Director may give pref-  
18 erential consideration, where feasible, to applications from  
19 jurisdictions that—

20 (1) have a violent crime rate at or above the na-  
21 tional average, as determined by the Federal Bureau  
22 of Investigation; and

23 (2) have not been providing each law enforce-  
24 ment officer assigned to patrol or other hazardous  
25 duties with body armor.

1 (e) MINIMUM AMOUNT.—Unless all applications sub-  
2 mitted by any State, unit of local government, or Indian  
3 tribe for a grant under this section have been funded, each  
4 State, together with grantees within the State (other than  
5 Indian tribes), shall be allocated in each fiscal year under  
6 this section not less than 0.75 percent of the total amount  
7 appropriated in the fiscal year for grants pursuant to this  
8 section, except that the United States Virgin Islands,  
9 American Samoa, Guam, and the Northern Mariana Is-  
10 lands shall each be allocated 0.25 percent.

11 (f) MAXIMUM AMOUNT.—A qualifying State, unit of  
12 local government, or Indian tribe may not receive more  
13 than 5 percent of the total amount appropriated in each  
14 fiscal year for grants under this section, except that a  
15 State, together with the grantees within the State may not  
16 receive more than 20 percent of the total amount appro-  
17 priated in each fiscal year for grants under this section.

18 (g) MATCHING FUNDS.—The portion of the costs of  
19 a program provided by a grant under this section may not  
20 exceed 50 percent, unless the Director determines a case  
21 of fiscal hardship and waives, wholly or in part, the re-  
22 quirement under this subsection of a non-Federal con-  
23 tribution to the costs of a program.

24 (h) ALLOCATION OF FUNDS.—Not less than 50 per-  
25 cent of the funds awarded under this section in each fiscal

1 year shall be allocated to units of local government, or Indian tribes, having jurisdiction over areas with populations of 100,000 or less.

4 (i) REIMBURSEMENT.—Grants under this section may be used to reimburse law enforcement officers who have previously purchased body armor with personal funds during a period in which body armor was not provided by the State, unit of local government, or Indian tribe.

9 **SEC. 5. APPLICATIONS.**

10 Not later than 90 days after the date of enactment of this Act, the Director shall promulgate regulations to carry out this Act, which shall set forth the information that must be included in each application under section 4(b) and the requirements that States, units of local government, and Indian tribes must meet in order to receive a grant under section 4.

17 **SEC. 6. PROHIBITION OF PRISON INMATE LABOR.**

18 Any State, unit of local government, or Indian tribe that receives financial assistance provided using funds appropriated or otherwise made available by this Act may not purchase equipment or products manufactured using prison inmate labor.

23 **SEC. 7. SENSE OF CONGRESS.**

24 In the case of any equipment or product authorized to be purchased with financial assistance provided using

1 funds appropriated or otherwise made available under this  
2 Act, it is the sense of Congress that entities receiving the  
3 assistance should, in expending the assistance, purchase  
4 only American-made equipment and products.

5 **SEC. 8. AUTHORIZATION FOR APPROPRIATIONS.**

6       There is authorized to be appropriated \$25,000,000  
7 for each of fiscal years 1999 through 2003 to carry out  
8 this Act.

Passed the Senate March 11, 1998.

Attest:

GARY SISCO,  
*Secretary.*